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**Notice of Allowability**

Application No.

09/884,504

Examiner

Apu M. Mofiz

Applicant(s)

LAYEGHI, SHAHAB

Art Unit

2165

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 03/28/2005.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☒ The drawings filed on 14 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>herein</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                       |
|   | 9. <input type="checkbox"/> Other _____.   |

### **DETAILED ACTION**

1. Applicant's amendments and arguments filed March 28, 2005 have been fully considered and they are deemed to be persuasive.

### **EXAMINER'S AMENDMENT**

2. Authorization for Examiner's Amendment to the amendment filed March 28, 2005 was given by Jun Y. Lee in a telephone interview on 04/20/2005.

3. An examiner's amendment to the amendment filed March 28, 2005 appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

4. The application has been amended as follows:

a) In Claim 1, line 2 (i.e. line 2 of claim 1), inserted "computer-implemented" after "a" and before "method"

b) In Claim 10, line 2 (i.e. line 2 of claim 10), inserted "computer-implemented" after "a" and before "method"

c) In Claim 12, line 2 (i.e. line 2 of claim 12), inserted "computer-implemented" after "a" and before "method"

- d) In Claim 14, line 2 (i.e. line 2 of claim 14), inserted "computer-implemented" after "a" and before "method"
- e) In Claim 22, line 1 (i.e. line 1 of claim 22), inserted "computer-implemented" after "A" and before "system"
- f) In Claim 23, line 1 (i.e. line 1 of claim 23), inserted "computer-implemented" after "A" and before "method"

***Allowable Subject Matter***

- 5. Claims 1-23 are allowed over the prior art of record.

***Reasons For Allowance***

- 6. The following is an examiner's statement of reasons for Allowance:

Regarding Independent claims 1,10,12,14,22 and 23, Applicant's particular method and associated system for encoding a media file so that it is capable of being decoded for playback as a media stream and for encoding data and time restriction information with the media file such that when the encoded media file is decoded for playback as the media stream, the data is reproduced in the media steam only during a time period predetermined by the time restriction information, which includes receiving a media file, receiving at least one data file including at least one data segment, receiving

time restriction information for each data segment that specifies the time period, such that the data segment can be reproduced as part of the decoded media stream only if the time period corresponds to the current time and/or date when the media stream is being played back and selectively modifying a part of the encoded media file to embed each data segment and the corresponding time restriction information in combination with other limitations of the claims, was not disclosed by, would not have been obvious over, nor would have been fairly suggested by the prior art of record.

The dependent claims, being further limiting to the independent claims, definite and enabled by the specification are also allowed.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Points of Contact***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Apu M. Mofiz whose telephone number is (571) 272-4080. The examiner can normally be reached on Monday – Thursday 8:00 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached at (571) 272-4083. The fax numbers for the group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.



Apu M. Mofiz  
Patent Examiner  
Technology Center 2100

April 26, 2005